

REMARKS

The office action of March 3, 2009, has been carefully considered.

It is noted that claims 1-6 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-4 and 6 are rejected under 35 U.S.C. 102(b) over the patent to Tada et al.

Claims 1-6 are rejected under 35 U.S.C. 103(a) over Tada et al.

In view of the Examiner's rejections of the claims, applicant has amended claims 1 and 3.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-6 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the reference, it can be seen that the patent to Tada et al. discloses a hot dip coating apparatus and method. The reference does not teach supplying the volume flow to the guide channel at a point between the inductors. In the reference the molten metal is supplied above the inductors, not between them. Also, Tada et al. do not replenish the coating metal in order to maintain a desired level of coating metal in the tank. In the reference the level of coating metal is maintained by overflow of the metal over the top of the dam 9 from where it is returned to the tank 13. There is no teaching or disclosure that the volume of melt supplied by the passage is used to maintain the level in the coating tank since it is necessary to have overflow of melt in the reference. The dam 9 is what determines the level of the melt. Thus, Tada et al. do not disclose the presently claimed invention, or render it obvious.

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In view of these considerations it is respectfully submitted that the rejection of claims 1-4 and 6 under 35 U.S.C. 102(b) and the rejection of claims 1-6 under 35 U.S.C. 103(a) over the above-discussed reference are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on May 28, 2009.

By: 
Klaus P. Stoffel

Date: May 28, 2009